

OPEN SPACE COUNCIL  
December 7, 2018  
9:00 a.m.  
Legislative Hall  
Senate Hearing Room, Second Floor  
Dover, Delaware

**ATTENDANCE**

Council Members:

John R. Schroeder, Chairperson  
Paul Boswell, Esq  
Lorraine Fleming  
David Humes  
Dorothy Leventry  
David Sheppard, Esq

Advisory To:

Shawn Garvin, DNREC, Secretary – not present

Ex-Officios:

Ray Bivens, State Liaison Officer, LWCF, DNREC

Staff:

David Saveikis, DNREC, Director, Fish & Wildlife  
Elena Stewart, DNREC, Parks & Recreation  
Robert Ehemann, DNREC, Parks & Recreation  
Austin Short, DDA  
Michael Valenti, DDA, Delaware Forest Service  
Kyle Hoyd, DDA, Delaware Forest Service  
Craig Rhoads, DNREC, Fish & Wildlife  
Kerri Yandrich, DNREC, DCCE  
Kristin Barnekov-Short, DNREC Chief of Staff  
Tim Byan, DNREC, Parks & Recreation

Visitors:

Sarah Cooksey, Director of Conservation, TNC  
David Carter, NCC Councilman  
Richard Jones, State Director, TNC  
Jessica Hammond, Chesapeake Conservancy

**I. Call to Order/Introductions/Announcements**

John Schroeder, Chairperson, called the December 7, 2018 Open Space Council (OSC) meeting to order. He welcomed Council members, staff and visitors. Due to concerns about the Department Secretaries not being

able to make the OSC meetings on Fridays, it was unanimously decided to move the meetings back to Wednesdays beginning with the March 6, 2019 meeting.

## **II. Minutes of December Meeting**

The minutes of the September 14<sup>th</sup> meeting were amended to read the following:

### **1. Hudson Property, Conservation Easement, Parks (~30.67 acres)**

Paul Boswell made the motion for Parks to put an easement on a portion of the property which has a value equal or greater than the \$250,000 based upon an appraisal. The conservation easement would allow for public recreational use on the portion of the property encumbered by the easement. David Sheppard seconded the motion. John recused himself due to his affiliation with the Sussex County Land Trust, who would be partners in the project. The motion was unanimously approved.

## **III. Financial Report**

Elena Stewart presented the financial report:

<b>Open Space Program Fund Outlook</b>			
<b>12/7/2018</b>			
<b>Current Projects</b>	<b>Amount</b>	<b>Agency</b>	<b>Date Committed</b>
Garrett Snuff Mills Property	\$7,000	Parks	12/6/2017
Whitehead	\$10,000	DFS	12/6/2017
ABC Woodlands	\$1,835,000	DFS	12/6/2017
JGR, LLC (NVF)	\$300,000	Parks	12/6/2017
Selby	\$425,000	F&W	12/6/2017
Wolfe Neck	\$5,000	Parks	4/6/2018
Mispillion Harbor	\$300,000	F&W	4/6/2018
Cooch	\$885,000	HCA	7/20/2018
Kaiser	\$300,000	HCA	7/20/2018
Deerfield Farms	\$275,000	Parks	7/20/2018
Masten	\$260,000	F&W	7/20/2018
Burrows	\$1,100,000	F&W	7/20/2018
Hamonko	\$55,000	F&W	7/20/2018
Caffini	\$390,000	F&W	7/20/2018
Thornton	\$60,000	F&W	7/20/2018
Geffon	\$475,000	Parks	9/14/2018
Hudson	\$250,000	Parks	9/14/2018
Evans	\$200,000	F&W	9/14/2018
<b>Total</b>	<b>\$7,132,000</b>		
<b>Available Funds</b>		<b>\$3,572,885</b>	
<b>Current Commitments</b>	<b>\$7,132,000</b>		
<b>Current Balance</b>		<b>-\$3,559,115</b>	
<b>Funding added 12/15/2018</b>		<b>\$9,000,000</b>	
<b>Future Balance</b>		<b>\$5,440,885</b>	

#### **IV. Old Business**

##### **A. Completed projects**

1. Alderman Property, Cape Henlopen State Park, Parks (~5 acres)  
\$525,000 was spent for the acquisition of the Alderman property, which is an inholding in the Angola Neck Nature Preserve.

#### **V. New Business**

- A. Lorraine Fleming shared that she and Elena Stewart met with Rich Hall and George Haggerty, along with other New Castle County (NCC) staff for an hour long meeting to discuss the financial and time burdens the subdivision process puts on conservation purchases. The staff was receptive and expressed willingness to work with Open Space staff.
- B. Council Open Discussion  
OSC members expressed support for working with NCC to reduce the financial burdens on conservation purposes.
- C. Public Comments  
David Carter, NCC Councilman, told the OSC that five members of NCC were working towards ways to not have the charge for subdivision of Open Space for conservation purposes. He was also working towards a white paper of different types of land preservation and wanted to meet with Council to discuss collaborative efforts. John Schroeder asked him to set up a meeting in the first quarter with him and Lorraine.

Sarah Cooksey, Director of Conservation for TNC, presented the work TNC was doing to protect land and water so nature can adapt to climate change. The presentation is attached to these minutes.

#### **VI. Executive Session**

##### **A. Discussion of Site Acquisitions**

#### **VII. Open Session**

##### **A. Council Project Recommendations**

1. Maroney Property, Parks, Brandywine Creek State Park (~6 acres)  
Lorraine made a motion to accept the ~6 acre donation of woods as determined by a survey. David S. seconded the motion. The motion was unanimously approved.
2. Reynolds/ Cooch Properties, Parks, Auburn Valley State Park (45.25 acres and 42.3 acres, respectively)  
David Humes made the motion to approve up to \$1.35M towards the acquisition of the two properties which would be leveraged by funding from TNC, Mt. Cuba and a bargain sale. Lorraine seconded the motion. Dorothy recused herself due to her affiliation with Mt. Cuba. The motion was unanimously approved.
3. Oval Lawn Farms LLC Property, F&W, Eagles Nest W.A. (128.92 acres)  
David S. made the motion to approve up to \$900,000 for the acquisition of the property. David H. seconded the motion. The motion was unanimously approved.
4. Troyer Property, F&W, Norman G. Wilder W.A. (118.7 acres)  
David H. made the motion to approve up to \$390,000 for the acquisition of the property. Lorraine seconded the motion. The motion was unanimously approved.
5. Jones Property, F&W, Little Creek W.A. (~1 acre)

- Dorothy made the motion to approve up to \$7,000 for the acquisition of the property. Lorraine seconded the motion. The motion was unanimously approved.
6. Benson Property, F&W, Little Creek W.A. (0.06 acres)  
Lorraine made the motion to approve up to \$1,050 for the acquisition of the property. Dorothy seconded the motion. The motion was unanimously approved.
  7. Starr Property, F&W, Little Creek W.A. (0.06 acres)  
David S. made the motion to accept the donation of the property. Dorothy seconded the motion. The motion was unanimously approved.
  8. Laurel Redevelopment Corporation Property, F&W, Records Pond (~0.04 acres)  
David S. made the motion to accept the donation of the property. David H. seconded the motion. The motion was unanimously approved.
  9. Hoffman Conservation Easement, F&W, Nanticoke W.A. (51.3 acres)  
David H. made a motion to accept the conservation easement purchased with REPI funds. Dorothy seconded the motion. The motion was unanimously approved.
  10. Shore Property, F&W, Ted Harvey W.A. (0.64 acres)  
Dorothy made a motion to approve up to \$9500 for the acquisition of the property, which represents the amount as if it was undevelopable. It was decided that the burden of proof would be on the seller to determine whether it was developable. David S. seconded the motion. The motion was unanimously approved.
  11. Del-Homes Property, F&W, Ted Harvey W.A. (3 acres)  
Lorraine made a motion to approve up to \$22,200 for the acquisition of the property, which represents the amount as if it was undevelopable. It was decided that the burden of proof would be on the seller to determine whether it was developable. David S. seconded the motion. The motion was unanimously approved.
  12. Banning/ Plummer Property, DFS, Redden State Forest (46.5 acres)  
David S. made a motion to approve up to \$175,000 based upon an appraisal. Dorothy seconded the motion. The motion was unanimously approved.

**Next Meeting Date/Adjournment**

The next meeting of the Open Space Council is scheduled for March 6, 2019 in Legislative Hall, Second Floor, Senate Hearing Room, Dover, DE 19901, starting at 9:00 a.m.

John thanked everyone and asked for a motion to adjourn.